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California Regional Water Quality Control Board Central Valley Region

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7 July 2006

Steven Burch
Burch Wines, LLC
13832 Meadowlark Lane
Grass Valley, CA 95945

NOTICE OF APPLICABILITY OF RESOLUTION NO. R5-2003-0106 BURCH WINES, LLC, BURCH HALL AND COYOTEVILLE WINERY, NEVADA COUNTY

Regional Water Board staff has reviewed your 8 June 2006 Report of Waste Discharge (RWD) for coverage under Regional Board Resolution No. R5-2003-0106, *Waiver of Waste Discharge Requirements for Small Food Processors, Including Wineries, Within the Central Valley Region*. The RWD included a Notice of Non-Applicability for compliance with the storm water General Permit and an \$872 filing fee. Our review finds the RWD to be complete.

Resolution No. R5-2003-0106 (a copy of which is enclosed) is a conditional waiver of waste discharge requirements for small food processors, including wineries. Based on the information you have submitted, the discharge as described in the RWD satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the current amount of grapes crushed and wastewater produced.

Discharge Description

Steven and Marsha Burch (Discharger) own and operate Burch Hall and Coyoteville Wineries at 13832 Meadowlark Lane in Grass Valley, Nevada County (APN 012-850-24). Based on a report from the Alcohol Tax and Trade Bureau, 75.5 tons of grapes were crushed during 2005. The Discharger indicates that approximately 45,000 gallons of winery wastewater is generated on an annual basis.

Wastewater generated during grape crush and barrel washing activities drains from a covered concrete pad into a series of floor drains which are connected to an underground pipeline and into a 3,000 gallon above ground storage tank. Any wastewater generated during cleaning activities also drains into the 3,000 gallon tank. From the tank, the wastewater is applied at agronomic rates using flexible hoses and spray/drip irrigation devices to four acres of land containing selective crops and native grasses.

Based on 75 tons of grapes crushed, approximately 6,000 pounds of stems, 6,000 pounds of seeds and 37,500 pounds of skins is evenly applied to four acres of land. The stems will be stored in bins and waste piles until they can be applied to the four acre land application area.

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Pomace in the form of skins and seeds will be used in a worm bed for producing worm castings, as livestock feed, and mulch.

Conditional Waiver

Based on the information submitted in the RWD and subsequent information provided by the Discharger, the discharge as described above satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the projected volume of wastewater and process solids produced. Therefore, this letter serves as formal notice that Resolution No. R5-2003-0106 is applicable and waste discharge requirements for this facility are waived.

Enclosed is a copy of Resolution No. R5-2003-0106 and the associated monitoring and reporting program. As described therein, an annual monitoring report that contains the information described in Items No. 1, 2 and 5 of the monitoring and reporting program must be submitted by **1 February** of each year.

If the discharge violates the terms or conditions of the waiver, the Regional Board may take enforcement action, including assessment of administrative civil liability. If the volume of waste water increases beyond 45,000 gallons per year, or the method of winery wastewater and solids disposal change from those described in the RWD, you must submit a new RWD. Please note that the waiver will expire on 11 July 2008, at which time you must submit a new RWD with a filing fee to renew the waiver, or cease the discharge.

If you have any questions regarding this letter, please do not hesitate to call Guy Childs at (916) 464-4648.

- Original Signed by Jack E. Del Conte/for -

PAMELA C. CREEDON
Executive Officer

Enc: General Order No. R5-2003-0106

cc w/o enc: Nevada County Environmental Health Department, Nevada City